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Appl. No. 10/629,171
Amdt. Dated Feb. 29, 2008
Reply to Office Action of Nov. 29, 2007

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REMARKS

The specification and claims are amended to overcome the objections.

Claim 9 is amended to include the subject matters of claim 20 and Claim 13 is amended to include the subject matters of claim 17 under a condition of cancellation of all other claims without resulting in the new issues including new search or new consideration.

Claim Rejections under 35 U.S.C. 102

Claims 1-4, 9-11, 13-18 are rejected under 35 U.S.C. 102 (e) as being anticipated by U.S. Patent No. 6,416,353 to Hwang et al. (Hwang). Claim 9-11, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,062,803 to Howard, deceased et al. (Howard)

As argued in the last response, claim 9 defines

- (I) a **unitary** extracting tool including stacked first and second plates located below the cable retaining portion;
- (II) through both of said first and second plates said mating section extending **downwardly**;
- (III) a connection portion linked **between** said first plate and side second plate to form a loop configuration surrounding said cable retaining portion; and claim 9 now further includes
- (IV) said pull tab extending obliquely and upwardly with a free distal end.

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Differently, regarding feature (I) Hwang discloses several discrete pieces, NOT a unitary one.

In the final action, the Examiner seems to neglect the true meaning of the term "unitary" which Applicant intentionally added into claim 9. The Examiner is invited to distinguish the terms "unitary" and "integral". According to the case law, the term "unitary" essentially refers to the one piece with uniformed characters thereof, that is different from the term "integral" which refers to one piece while possibly comprising a plurality of discrete pieces assembled together without possibility to be disassembled unless being damaged.

Secondly, regarding feature (II) the mating section (30) does not extend "downward" through the first plate (301) and the second plate (72) when the connector is put on its side to meet the claimed feature (I). It is improper for the Examiner to use two different ways to treat the same subject matter in the reference in examining the same claim. In the office action, the Examiner questions what the two different ways refer to precisely. The applicant explained as below.

The Examiner uses the "put on its side" method to meet the feature (I) of "stacked first and second plates located below (*emphasis added*) the cable retaining portion". If taken in this viewpoint, Hwang can no longer meet the feature (II) of "through both of said first and second plates said mating section extending **downwardly**" (*emphasis added*) because the mating section extends horizontally parallel to the alleged stacked first and second plates (301, 72). By the way, disregarding whether adopting the Examiner's "put on its side" method, in Hwang the alleged mating section (30) is essentially located "beside"

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the stacked first and second plates (301, 72) rather than "through" them.

Thirdly, the alleged connection portion (702) is only linked between two second plates (72), not linked between the first plate (301) and the second plate (72). Essentially, the alleged connection (702) is "sandwiched" between the first plate (301) and the second plate (302). Moreover, the alleged connection portion (702) itself cooperating with the first plate (301) and the second plate (72) does NOT form a loop due to existence of leash body (701) and the housing (30). In addition, the combination of the alleged connection portion (702), the first plate (301) and the second plate (72) does NOT surround the alleged cable retaining portion (561), BUT essentially connected to two opposite ends of the alleged cable retaining portion (561) and two opposite ends of the leash body (701) to commonly form a loop.

In the final action, the Examiner tries to use two first plates (301) and two second plates (72) at two opposite ends of the housing to meet the claimed limitation of "a loop configuration surrounding the cable retaining portion". Anyhow, in Hwang without the leash body (701) such a loop can not be formed while the leash body (701) is not a part of the alleged connection portion (702). It should be noted that claim 9 only defines the loop constituted by (i) the connection portion, (ii) the first plate and (iii) the second plate. If the leash body (701) is deemed as a part of the connection portion, it will make the alleged pull tab (70) and the connection portion overlapped with each other, resulting in a problematic interpretation/anticipation. Thus, Hwang essentially can not meet feature (III).

Hwang also fails to show the current feature (IV) derived from the original claim 20, since the Examiner does not reject the original claim 20 by Hwang.

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Based upon the above-mentioned (I), (II), (III) and (IV) features, the amended claim 9 is believed to patentably distinguish over Hwang.

As to the Howard reference, if the alleged pull tab (11) is not deemed as a part of the alleged connection portion (*the Examiner currently taking this position*), it can not form the claimed "a loop configuration" surrounding said cable retaining portion of the aforementioned feature (III). Oppositely, if the alleged pull tab (11) is deemed as a part of the alleged connection portion, the alleged pull tab can not meet the limitation of "a pull tab extending from one of said first and second plates and said connection portion wherein said pull tab extends obliquely and upwardly with a free distal end".

Therefore, the amended claim 9 is believed to patentably distinguish over Howard and in condition for allowance.

The amended claim 13 defines the engaging portion and the fixing portion overlap each other and each defines a hole to form a passage for receiving and engaging with the mating portion of the electrical connector.

Differently, in Hwang there is no such hole and the Examiner says nothing on it. Therefore, claim 13 is believed to patentably distinguish the cited references, and in condition for allowance.

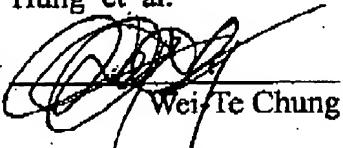
Conclusion

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In light of above remarks, the Applicant respectfully submits that the present invention is in a condition for allowance, and respectfully requests the withdrawal of the rejections. Accordingly, a Notice of Allowance is respectfully requested.

Respectfully submitted,
Hung et al.

By



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